

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

EDWARD J. BIVENS, JR. and
DEBORAH J. BIVENS, husband
and wife,

Plaintiffs,

v.

RON HOOVER COMPANIES OF
HOUSTON, INC., a Texas
corporation, and R-VISION,
Inc., an Indiana corporation,

Defendants.

NO. CV-04-0386-LRS

**ORDER GRANTING DEFENDANT R-
VISION'S MOTION FOR [PARTIAL]
SUMMARY JUDGMENT**

BEFORE THE COURT without oral argument is Defendant R-Vision's partial Motion for Summary Judgment (Ct. Rec. 20). On December 28, 2005, the Court delivered an oral ruling on this motion. Dale M. Foreman participated on behalf of Defendant R-Vision, Inc. and W. Russell Van Camp participated on behalf of Plaintiffs. The Court has reviewed the file, the pending motion, and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the court. Accordingly,

For the reasons stated on the record, Defendant R-Vision, Inc.'s Motion for Summary Judgment (Ct. Rec. 20) is **GRANTED**. The Plaintiffs' claims alleging violations of Washington's Lemon Law statute and Consumer

1 Protection Act, breach of contract (except for breach of warranty
2 claims), misrepresentation, "tortious conduct", and products liability
3 are hereby **DISMISSED**.

4 **IT IS SO ORDERED.** The District Court Executive is directed to file
5 this Order and provide copies to counsel.

6 **DATED** this __28th__ day of December, 2005.

7 *S/Lonny R. Suko*

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LONNY R. SUKO
9 UNITED STATES DISTRICT JUDGE